



Randal S. Mashburn
U.S. Bankruptcy Judge

Dated: 5/2/2014



**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE**

IN RE: DANNY LANE KEYS,)
DBA Honey-Do Handyman Services;)
DBA Timberline Resort; FDBA DIAN – DAN)
ENTERPRISES, LLC.) 12-07578-2RM-13
and)
JANICE DIANE KEYS,)
DEBTOR(S))
80 TIMBERLINE ROAD) Chapter 13
CROSSVILLE, TN 38571)
XXX-XX 8108 XXX-XX-0264)

AGREED ORDER

It is agreed as evidenced by the signatures affixed below that this Order shall resolve all matter in regard to Debtors Motion to Suspend payments and Glen & Beatrice Terry's (hereafter called Terry) objection to Debtors Motion. Furthermore, the Terry filed an affidavit of Non Compliance and Debtors filed an objection to the Affidavit. This Order shall render these matters being Docket No. 130 filed 2/26/2014 and Docket No. 131 filed on 03/04/2014 Moot.

Debtors Motion to Suspend Payments shall be granted for the Months of February 2014 and March 2014; Debtors shall resume their payments in April 2014. Debtors suspension is conditioned on the following provisions;

Debtors shall increase their monthly payments to \$12,454.50 beginning with their April 2014 payment and continuing for (6) six consecutive months through September 2014. The increased payment, being \$2,750.00 shall be distributed to Glenn and Beatrice Terry by the Chapter 13 Trustee through his normal monthly distributions. These payments shall be in addition to the monthly distribution to the Terry pursuant to the conditions of Debtors confirmed Chapter 13 Plan. At the end of the six month period the Debtors payments will return to \$9704.50, being their regular monthly Chapter 13 Payments. These additional payments shall be considered incorporated into the terms and conditions of the Confirmed Chapter 13 Plan and all previous Agreed Orders, and failure to timely make these payments shall be considered a material fault; upon default, the Terry's shall be permitted to file an affidavit evidencing this Material Fault requesting the Stay be Lifted automatically.

The balance of the terms of Debtors Motion to Suspend Payments shall be Granted as requested.

IT IS SO ORDERED:

1. Debtors Motion to Suspend Payments for February 2014 and March 2014 shall be Granted.
2. Debtors shall resume their Chapter 13 Payment on or before April 20th 2014.
3. Debtors shall increase their payments to the Trustee for six months to \$12,454.50, beginning April 2014 and ending September 2014.
4. Debtors Payments shall return to their regular Chapter 13 payment of \$9,704.50 in October 2014 for the remainder of the Chapter plan.
5. The additional payments of \$2,750.00 shall be paid to Glenn and Beatrice Terry monthly through the Trustee regular distribution, for the purpose of timely curing the post-petition arrears on the mortgage. The Terrys shall continue to receive their normal payments by the Chapter 13 Trustee.
6. Failure to make any of the additional payments timely shall be considered a material default, and Automatic Stay relief may be granted to the Terry's upon filing of an Affidavit of Debtors Default.
7. The affidavit filed by The Glenn and Beatrice Terry on 2/26/2014 docket entry 130 and Subsequent objection by the Debtors Docket entry 131 are Moot.
8. All other provisions of the Confirmed Chapter 13 Plan shall remain in full force and effect.

THE ABOVE IS HEREBY ORDERDED, ADJUDGED AND DECREED.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE.

APPROVED BY:

/S/ Howard G. Pick
HOWARD G. PICK #017686
Attorney for Creditors
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AGREED TO:

/S/ STEVEN L. LEFKOVITZ
STEVEN L. LEFOVITZ, #5953
Attorney for Debtor
618 Church Street, Suite 410
Nashville, Tennessee 37219
Phone: (615) 256-8300
Fax: (615) 255-4516
Email: slefkovitz@lefkovitz.com

AGREED TO:

/s/Henry E. Hildebrand, III
Henry E. Hildebrand, III
Chapter 13 Trustee
P.O. Box 340019
Nashville, Tennessee 37203-0019
Phone: (615) 244-1101
Fax: (615) 242-3241
Email: aoecf@ch13nsh.com


Digitally signed by /s/Henry E. Hildebrand, III
DN:cn=/s/Henry E. Hildebrand, III, o=Chapter 13 Trustee, ou=Office of the Chapter 13 Trustee, email=pleadings@ch13nsh.com,
c=US
Date: 2014.05.01 12:00:52-05'00'

Attorney's Certificate of Service

This is to certify that I have served a copy of the within and foregoing Agreed Order, by Electronic Court E-Mail, to the Chapter 13 Trustee, US Trustee, and Debtors Attorney Steven L. Lefkovitz and by 1st Class Mail to Debtors Danny and Janice Keys 80 Timberline Rd., Crossville, TN 38571.

This April 21, 2014

/S/ HOWARD G.PICK

Howard G. Pick, Attorney For Debtors
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Crossville, TN 38557
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This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.